



## Chapter 1

## Introduction

### How to Use This Guidance Manual

This guidance manual is for anyone who operates a child care facility in the state of Indiana. In fact, it's applicable for anyone who cares for children. Many of us involved in the production of the manual have changed behaviors in our own homes—from flushing out the cold water tap in the morning, to identifying materials that contain mercury, to wet dusting window sills and doors that may have coats of lead-based paint.

This guidance manual attempts to explain in clear, understandable terms the rules and regulations of several Indiana agencies that regulate to child care facilities, including:

- ' Indiana Department of Environmental Management (IDEM)
- ' Family and Social Services Administration (FSSA)
- ' Indiana State Department of Health (ISDH)
- ' Office of the State Fire Marshal (OSFM)
- ' Indiana Occupational Safety and Health Administration (IOSHA)

**Who is Regulated?**

We address three types of facilities specifically in the guidance manual because they are the only types regulated by the Bureau of Child Development of the Family and Social Services Administration.

**1. Licensed Child Care Centers**

- ' Child care provided in a commercial building for regular compensation
- ' Children are unattended by a parent, legal guardian, or custodian
- ' Care is provided for more than four hours, but less than 24 hours, for 10 consecutive week days, excluding holidays.

**2. Licensed Child Care Home**

- ' A residential structure in which at least six children (excluding owner's children or relatives) receive care for regular compensation
- ' Children are unattended by a parent, legal guardian, or custodian
- ' Care is provided for more than four hours, but less than 24 hours, for 10 consecutive week days, excluding holidays
- ' Term applies to Class I (12 full- + 3 part-time or fewer children) and Class II (more than 12 full-time children).

**3. Registered Child Care Ministry**

- ' Child care facility operated by a church or religious ministry that is a religious organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.



If you fit the above criteria for any of the three types of facilities and you are not licensed or registered, **YOU ARE OPERATING ILLEGALLY!** Not only are you breaking the law, you are missing a business opportunity. Licensing or registration assures parents you are meeting the minimum requirements to operate your facility. In addition, you may be eligible for government subsidies, including food reimbursement; you can more easily obtain appropriate insurance coverage; and you may be eligible for tax deductions as a legitimate business operator.

**Child Care Facility**

The term “child care facility” is used throughout this manual to encompass licensed child care centers, licensed homes, and registered ministries. Since FSSA regulates these facilities, they must follow the most rules and regulations. This guidance manual is designed to help these facilities understand what they **MUST** do as required by law, what they **SHOULD** do to go above and beyond what is required to protect their children, and what they should **CONSIDER** to really go the extra mile. The above icons (apple, teddy bear, or block) will help you identify which type of facility (center, home, or ministry, respectively) must comply with the rules and regulations explained in this manual.

While we address only regulated facilities in this manual, all child care providers can benefit from the guidance provided within these pages. Just because one requirement isn't a **MUST** for you doesn't mean you can't or shouldn't do it. For instance, even though child care homes can spray pesticides legally when children are present doesn't mean they should. Although child care ministry staff does not have to receive first aid training or lock poisonous chemicals, it is highly recommended. The rules and regulations give you a baseline on which you can build to protect your children.

If you have any questions about the enclosed material, would like confidential on-site or phone assistance, or need information on the 5-Star Environmental Recognition for Child Care Facilities, please call IDEM's Office of Pollution Prevention and Technical Assistance at (800) 988-7901. We're here to help!

**Notice**

The information compiled in this manual is being provided by IDEM, FSSA, IOSHA, and the state Fire Marshal as general guidance to childcare facilities in Indiana. Although every effort has been made to ensure the accuracy and completeness of this information, the authors and reviewers of this publication cannot guarantee that it is completely free of any errors or omissions. It is ultimately the responsibility of the owner and operator of each facility to ensure that the facility complies with all applicable regulations.

